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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, September 18, 2002

JOINT PETITION OF

CASE NO. PUC-2002-00121

ACSI LOCAL SWITCHED SERVICES, INC.  
d/b/a E.SPIRE AND AMERICAN COMMUNICATION  
SERVICES OF VIRGINIA, INC. d/b/a E.SPIRE

and

XSPEDIUS MANAGEMENT CO. SWITCHED  
SERVICES, LLC, AND XSPEDIUS  
MANAGEMENT CO. OF VIRGINIA, LLC

For approval of (i) the transfer of substantially all of  
the assets, including the customer contracts, of ACSI  
of Virginia to the Xspedius of Virginia Entities and  
(ii) the discontinuance of telecommunications  
services in Virginia by the e.spire Operating Entities

ORDER EXTENDING TIME FOR REVIEW

On July 23, 2002, ACSI Local Switched Services, Inc. d/b/a e.spire and American Communication Services of Virginia, Inc. ("ACSI of Virginia") d/b/a e.spire and Xspedius Management Co. Switched Services, LLC, and Xspedius Management Co. of Virginia, LLC ("Xspedius of Virginia"), completed an application filed on June 18, 2002, requesting authority to consummate a transaction that will enable ACSI of Virginia to (a) transfer substantially all of its assets, including its customer base, to Xspedius of Virginia, and (b) transfer the current customers of ACSI of Virginia to Xspedius of Virginia.

Pursuant to § 56-88.1 of the Code of Virginia ("Virginia Code"), the State Corporation Commission ("Commission") must act on the joint petition within sixty days of the filing of the joint petition, or the joint petition will be deemed to be approved. In addition, § 56.88.1 allows

the Commission to extend the sixty-day period for a period “not to exceed an additional 120 days.”

We note that the issues involved in the joint petition will require additional time for review. As such, we are of the opinion that sixty days is not sufficient time in which to investigate fully matters associated with the above-referenced joint petition. Therefore, it is appropriate to extend the period for review of issues under Virginia Code § 56-88.1 for a period of thirty days from the original sixty-day time period, or through October 21, 2002.

Accordingly, IT IS ORDERED THAT a review of the above-referenced joint petition governed by Virginia Code § 56-88.1 shall be extended for a period not to exceed thirty days from the original sixty-day time period, or through October 21, 2002.